UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
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2/24/2015

Garett Lips
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, Florida 33410

Subject: **Draft Environmental Impact Statement (DEIS) for Southern Palm Beach Island Comprehensive Shoreline Stabilization Project; Palm Beach County, Florida; CEQ Number: 20140354; ERP Number: COE-E30046-FL**

Dear Sir:

Pursuant to Section 309 of the Clean Air Act (CAA) and Section 102(2)(C) of the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) Region 4 has reviewed the "Draft Environmental Impact Statement (DEIS) for Southern Palm Beach Island Comprehensive Shoreline Stabilization Project Palm Beach County, Florida" dated December 2014. EPA understands that this DEIS was developed by the Regulatory Branch of the Jacksonville District, U.S. Army Corps of Engineers (Corps), and was prepared in response to an application submitted by the Town of Palm Beach and Palm Beach County (County) for a U.S. Department of the Army permit under Section 404 of the Clean Water Act (CWA) of 1972 (33 U.S.C. 1251 et seq.) associated with proposed shoreline stabilization activities in the vicinity of the Town of Palm Beach in eastern Palm Beach County and along approximately 2.07 miles of Atlantic coastline.

The DEIS notes that the overall project purpose is to minimize future adverse storm-induced effects by nourishing the beach to replace the sand that has been lost due to erosion, and also ameliorate the current erosion rate to an extent that nourishment intervals would likely occur approximately every three years. The DEIS also notes the preferred project includes filling the beach and dune with approximately 150,000 cubic yards of beach compatible sand from an offshore borrow area and upland sandmine between R-129-210 and R-138+55. The preferred project includes construction of seven low-profile panel groins placed perpendicular to the shoreline extending from the existing seawalls to the post-construction (beach re-nourishment) waterline. The DEIS evaluated the environmental effects of six alternatives (no action and five build alternatives): Alternative 1-No Action (status quo), Alternative 2-the Applicants' Preferred Alternative with beach fill and dune restoration with shoreline protection structures; Alternative 3-the Applicants' Preferred Alternative without shoreline protection structures; Alternative 4-The Town of Palm Beach preferred project and County increased sand volume without shoreline protection structures; Alternative 5-The Town of Palm and County increased sand volume and County preferred project and Alternative 6-The Town of Palm and County with increased sand volume without shoreline protection structures.

EPA has several concerns regarding the DEIS, which are listed below.

Main Report:

1. Executive Summary (pg xxviii). The Corps discusses dredging offshore borrow areas to be used as beach fill. Are these borrow areas within the jurisdiction of Bureau of Ocean Energy Management (BOEM)? If so, has the Corps coordinated with BOEM? EPA recommends the Corps discuss and document any coordination efforts with BOEM.

2. Chapter 2-Project Alternatives (pgs 2-1 to 2-38)

a. The preferred alternative is stated in the DEIS to have permanent impacts to 4.03 acres of hardbottom resources. According to the public notices that are currently out for public comment, the Palm Beach County portion of the project will have a direct impact on 4.0 acres and the Town of Palm Beach will have a direct impact on 2.99 acres of hardbottom resources. This is an increase of 2.96 acres over what is stated in the DEIS for impacts to the preferred alternative 2. Should this be the case, additional mitigation would be required above what is listed in the DEIS. EPA requests clarification.

b. Life expectancy of the preferred alternative is 2 to 4 years for the Town of Palm Beach and 2-3 years for Palm Beach County. The public notice for The Town of Palm Beach states, "This project is a one-time beach nourishment project." The EPA is concerned about the purpose and need of the project since it states this is a one-time project with a life expectancy of only 2 to 4 years with permanent impacts to 2.99 acres of nearshore hardbottom resources. EPA requests clarification and recommends the Corps better describe the project purpose and need in the FEIS.

c. The Preferred Alternative (Alternative 2) will have a direct impact on 4.03 acres and Alterative 3 will have a direct impact on 2.80 acres of hardbottom. EPA recommends the Corps clarify the difference in permanent impacts when the same amount of fill will be used for each alternative.

3. Chapter 4-Environmental Consequences.

a. On page 4-46, the Corps discusses using the Uniform Mitigation Assessment Method (UMAM) in determining project impacts to hardbottom resources. EPA recommends the Corps briefly describe UMAM and how it was used in determining impacts. EPA also recommends the Corps better explain how UMAM was used to calculate temporary and secondary impacts.

b. On page 4-87, the Corps discusses sea-level change, but doesn't approximate the amount of sea level rise predicted and relative impacts to the coastline. EPA also recommends the Corps title this section "Climate Change" rather than "Sea-level Rise" and also expand the discussion in the broader context of "Climate Change". The Corps does briefly mentions climate change, however, EPA recommends the Corps better describe climate change in the terms of increases of frequency and intensity of storm events. The proposed project potentially could also be considered a climate resiliency measure. EPA recommends the Corps more robustly describe climate change to include

more detailed description of sea-level rise, better description of impacts of increased frequency and intensity of storm events, etc.

Appendix H (Draft UMAM Analysis)

1. The Part I – Qualitative Description of the UMAM data sheet combined all assessment areas (12.16 acres) on one data sheet. However, the different types of hardbottom impacts (Part II) were placed on separate data sheets. The EPA requests a separate Part I data sheet be developed for each assessment area impacted.

2. PART II data sheet Permanent Impacts (4.03 acres) The Location and Landscape Support scores go from a current condition of 10 to 1 once the project is completed. The same scenario scores apply to the Community Structure. According to Part I of the UMAM data sheet, the functions listed for this assessment area will be permanently lost once the hardbottom resources are covered with fill material. Therefore, the with project score for these two indicators should be 0.

Appendix I (Draft Comprehensive Mitigation Plan The DEIS states monitoring of the mitigation site will be for 3 years. The EPA requests the standard of 5 years used for mitigation projects be applied to the DEIS.

We rate this DEIS as an EC-2 (environmental concerns-insufficient information). We appreciate the opportunity to comment on this DEIS. If you wish to discuss EPA's comments, please contact Jamie Higgins at 404-562-9681 (higgins.jamie@epa.gov) for NEPA comments or Ron Miedema at 561-615-6959 (miedema.ron@epa.gov) for wetlands/404 permit comments.

Sincerely,

Heinz J. Mueller, Chief
NEPA Program Office
Resource Conservation Recovery Division